

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DATATREASURY CORPORATION )  
                                  )  
Plaintiff,                   )      Case No. 2-06CV-72DF  
                                  )  
vs.                            )      Jury demanded  
CITIZENS FINANCIAL GROUP )  
INC., et al.,                )  
                                  )  
Defendants.                )  
                                  )  
\_\_\_\_\_

**NOTICE OF QUALIFIED ENDORSEMENT**

**TO THE HONORABLE JUDGE OF SAID COURT;**

Now comes the defendant, Citizens Financial Group, Inc., to notify the court that it endorses the proposed protective order to be filed in this cause by Bank of America, with the following qualification:

Citizens Financial Group, Inc. urges that the following language be added as the last sentence of paragraph 28 of said proposed protective order: "Nothing in this paragraph shall preclude any person from preparing and filing an ex parte reexamination of the patents in suit."

Respectfully submitted,

Date: November 9, 2006

/s/ Claude E. Welch  
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Local Counsel to Defendant, CITIZENS  
FINANCIAL GROUP, INC.

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**CERTIFICATE OF SERVICE**

I certify that all counsel of record who are deemed to have consented to electronic service are being served this 9<sup>th</sup> day of November 2006, with a copy of the foregoing via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

/s/Claude E. Welch